



2015-2016 General
Assembly

Bill Draft 2015-LRza-147D: BOR/Independent Staff/Data Tracking.

Analysis of: 2015-LRza-147D

Date: April 11, 2016
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SUMMARY: *The act enhances the independence and efficiency of the Board of Review by (i) transferring to the BOR a dedicated legal and support staff serving under the control of the Chair, (ii) implementing data tracking to support operations of the Board and (iii) establishing certain reporting requirements.*

BILL ANALYSIS:

Section 1. -- Amends G.S. 96-15.3 to provide the Board of Review (BOR) with independent legal and support staff serving under the control of the Chair of the BOR, who is also granted budgetary control of the related personnel funding in Section 2. The act requires that the BOR adopt policies, procedures, and standards that will ensure the consistency and continuity of higher-level appeal operations.

Further, the act provides that the Department of Commerce, Division of Employment Security, will assist the BOR in the collection and tracking of data necessary to support appeals operations and make continuous improvements to those operations. The following data will be tracked: (i) reversals of BOR determinations by the Superior Court; (ii) referrals from staff attorneys for dismissals, short affirms, and long decisions; (iii) cases remanded back to lower authority appeals or referred back to staff attorneys for modification; and (iv) deviations between the recommendations made by staff attorneys and the determinations of the BOR.

Section 2. -- Transfers, effective July 1, 2016, two attorney and four administrative positions over to the control of the BOR, including the appropriations related to those positions in the amount of four hundred fifteen thousand dollars (\$415,000) for the 2016-2017 fiscal year. (If that funding is insufficient, then additional funds shall be transferred, as necessary.) The Department must report on the transfer to the Chairs of the Joint Legislative Oversight Committee on Unemployment Insurance and the Chairs of the Joint Natural and Economic Resources Committee of the Senate and House of Representatives Appropriations Committees.

Section 3. -- Provides that the BOR shall adopt policies, procedures, and standards for higher level appeals by October 1, 2016.

Section 4. – Sets November 1, 2016, as the date by which the BOR shall have commenced tracking data.

Section 5. – Makes the act effective when it becomes law.

